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February 3, 2006

**FEDERAL EXPRESS**

Rosemary A. Macero, Esq.  
Macero & Associates, P.C.  
One Thompson Square  
Suite 301  
Boston, MA 02129



Re: Qwest Communications v. Conqwest, Inc.  
USDC-D. Mass. (Boston) - Civil Action No. 04-cv-11878 RCL

ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Rosemary:

Enclosed for service are Qwest's Responses and Objections to ConQwest's First Set of Interrogatories.

As set forth in my letter of January 31, 2006, and agreed at our discovery conference of February 2, 2006, Qwest designates Erik Nowak as its Rule 30(b)(6) witness on all the categories upon which Qwest has agreed to designate a witness. You have declined to start his deposition on February 8, 2006, as offered. You previously declined to commence the Rule 30(b)(6) deposition on January 26, 2006, as originally noticed. Erik Nowak is not available for deposition the week of February 13, 2006. He is available the week of the 20<sup>th</sup>. Please let me know what day or days you would like to schedule his deposition as soon as convenient, but in any event at least a week in advance so that we can make appropriate hotel and air arrangements.

In our discovery conference of February 2, 2006, you promised to get me deposition dates for Michelle Drolet in response to her individual notice by Friday. I have not received anything from you as of 7 p.m. Ms. Drolet has been noticed for individual deposition since January 10, 2006. You refused to produce her for deposition on January 26<sup>th</sup> after expressly agreeing to that date. I therefore intend to file a motion to compel her attendance in response to the notice.

Very truly yours,

Heidi E. Harvey